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frequent and necessary application in tort cases that their treatment in commentaries on the law of Torts is as reasonable and convenient as it is common. In the specific classes of cases discussed one finds the familiar headings of Assault, False Imprisonment, Libel and Slander, Deceit, Malicious Prosecution, Seduction, Trespass, Trover and Conversion, Nuisance and Negligence. The important related topics of Strikes and Boycotts and Interference with Contract Relations are, however, not considered, — an omission to be regretted because of the modern importance and intricacy of the problems which those topics present.

A distinguishing characteristic of Professor Erwin's book is the large proportion of citations from New York. Probably three quotations out of four are from opinions rendered by New York courts, inferior or of last resort. This feature must peculiarly adapt the book to use by students especially interested in New York law; but it will not necessarily impair its utility in other jurisdictions, since the decisions quoted are in most cases fair statements of principles recognized generally wherever the common law of Torts prevails. Moreover, conflict of authority on important points is indicated. New York statutory provisions are not infrequently specially referred to and stated, *e. g.*, the Employers' Liability Act and the provisions governing actions for death by wrongful act. It is fair to presume, though no express statement to that effect is made, that in preparing this manual Professor Erwin had chiefly in mind the needs of his classes in the New York University School of Law. To their purposes, and to the purposes of students similarly situated, the book is admirably adapted, especially when used in connection with lectures covering in more detail the subjects here broadly considered. For the practitioner it is of small practical service save to refresh his memory on elementary principles: there is no table of cases, and the citations are manifestly not designed to be either exhaustive or especially representative of all jurisdictions. As a concise statement of the common law rules for purposes of review by candidates for admission to the bar, the book may be distinctly commended.

In the interests of accuracy, and in view of the possibility of further editions, it may be noted that the statement on page 213, including Louisiana in the list of jurisdictions where the burden of proving the absence of contributory negligence rests upon the plaintiff, is incorrect. See *Buechner v. City of New Orleans*, 112 La. 599.

M. M. L.

A TREATISE ON THE LAW OF MUNICIPAL CORPORATIONS. By Howard S. Abbott. In three volumes. Volumes I and II. St. Paul: Keefe-Davidson Company. 1905, 1906. pp. xix, 1-965; xvi, 966-1979. 8vo.

In writing a book on the law of Municipal Corporations, an author necessarily challenges comparison with Judge Dillon's classic treatise; yet he is not to be considered unsuccessful if he fails to improve on it. To write a law book worthy to rank alongside Dillon is in itself an achievement worth the effort. Mr. Abbott is to be congratulated on having produced a book which, even if it does not supersede the older and better known work, may be used with satisfaction, and quoted with safety and assurance.

The division of the whole subject differs from the division made by Judge Dillon. The present author's division is logically planned and executed, and is on the whole clear and adequate; but there does not seem to be any conspicuous advantage in the new arrangement.

In his preface Mr. Abbott writes: "An effort has been made to state in the text, concisely and accurately, the general principles applicable to a stated question, and to give in the notes a reference to the cases, considering the subject under which they are cited, with in many instances an apt quotation from the decision of the court." This is certainly an admirable plan to have in mind in writing a law book, and for the most part the author seems to have lived up to it. Mr. Abbott has given us a real text: he has written a treatise and stated the theories underlying the various topics in the law of Municipal Corporations;

and he has avoided the pitfall of so many writers of law books in these days of hastily composed books, — the mere compilation of the head notes of cases to serve as a text. In all places, however, the text is not easy reading, due in part to the strain on the reader from the constant use by the author of the periodic form of sentence.

Mr. Abbott also promises, "An exhaustive examination and citation of the authorities has been made, and an index has been prepared unusually full and complete." It is impossible at this time to state absolutely that the promise of an exhaustive examination and citation of authorities has been fulfilled. Only two volumes of the three have been issued, and there is no table of reference to the cases cited, in either of the volumes. It should be said, however, that from a reading of the text and the notes it would seem that a careful collection of authorities has been made. In this connection it seems worth while to call attention to the excellent plan, adopted in recent years by some publishers, of putting in each volume of a multi-volume treatise a table of the cases cited in that volume, and also an analytic index of the subject matter. Such tables and indices certainly add to the value of a book for ready reference.

The citations themselves seem to be arranged alphabetically by jurisdictions, and chronologically within each jurisdiction. The chronological order within the jurisdictions is consistently maintained, but there is an occasional lapse from the alphabetical arrangement. It may also be questioned if the form of citation, 86 U. S. (19 Wall.), is better than the more usual citation to Wallace first.

So much of the value of a text-book to the practicing lawyer depends on a good index, rendering the text easily accessible, that if Mr. Abbott really gives us an "index unusually full and complete" as he leads us to hope, his book will be in great demand. For this we must wait until the third volume is published.

The topics of the liability of public corporations for negligence, and of actions by and against public corporations, together with a chapter to be entitled "Some Public Duties," have been left for the third volume. S. H. E. F.

THE GENERAL PRINCIPLES OF THE LAW OF CORPORATIONS (being the Yorke Prize Essay for the year 1902). By C. T. Carr. Cambridge: At the University Press. 1905. pp. xiii, 211. 8vo.

Following a suggestion of Professor Maitland, of an English Encyclopedia of Group-life, a work which should range over the field occupied by the various forms of English fellowship and association, the writer of this essay has attempted to deal "with one single form of group-life, namely, the class of bodies which, in the strict legal sense, are 'corporations.' " The general object of the book, as the author states, is "to show the nature and attributes of a corporation, the steps by which it reached its present legal form and importance, and the manner in which it has from time to time been treated by the state. The later chapters contain the more ambitious effort of analyzing the theory of corporations."

Starting out to fulfill such a suggestion as that of Professor Maitland, it naturally follows that the work, well executed, as it undoubtedly is, should be interesting and suggestive to the student of the history of English law, and of the development of its theories. But it should be noted that chapters entitled "Anthropomorphism," "Concession," "Registration," "Symbolism," "Realism," and some others, though suggestive to the student, will not attract many readers outside that class. In justice to the author, however, it should be remembered that this book is not published "to sell"; but, like many other books, more often, we may regret to find, written by Englishmen rather than Americans, it was done because the author had found something that was worth saying, and has been willing to put time and effort into it, for the sake of the few who will understand and be aided.